

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

MARINE ELECTRIC SYSTEMS, INC., a  
Delaware Corporation, and HARRY  
EPSTEIN,

Plaintiffs,

v.

CHAFFE MCCALL LLP, ROBERT S.  
ROOTH, JAMES HAYES, WALTER  
MORALES, and JOHN DOES 1-10,

Defendants.

Civil Action No.: 2:23-cv-00326

**CONSENT JUDGMENT**

**THIS MATTER** comes before the Court by plaintiffs Harry Epstein and Marine Electric Systems, Inc.; counsel for Defendants Chaffe McCall LLP, Robert S. Rooth (Stephen M. Klein, Esq., appearing); and by counsel for James Hayes and Walter Morales (Morgan Fiander, Esq., appearing); and all parties having agreed to the form and entry of this Consent Judgment pursuant to the Settlement Agreement; and for good cause shown;

**IT IS**, on this 2 day of July, 2023, **ORDERED, ADJUDGED, AND DECREED**, as follows:

1. **FINAL JUDGMENT** is entered in favor of Defendants and against Plaintiffs on Count 1 of the Complaint for legal malpractice and it is adjudged that Chaffe McCall LLP and Robert S. Rooth, Esq., were not negligent, careless, or conflicted in their representation of Marine Electric Systems, Inc.;

2. **FINAL JUDGMENT** is entered in favor of Defendants and against Plaintiffs on Count 2 of the Complaint for breach of fiduciary duty and it is adjudged that neither Chaffe McCall LLP nor Robert S. Rooth breached any fiduciary duty owed to Marine Electric Systems, Inc., nor made misrepresentations to it;

3. **FINAL JUDGMENT** is entered in favor of Defendants and against Plaintiffs on Count 3 of the Complaint for breach of fiduciary duty against James Hayes;

4. **FINAL JUDGMENT** is entered in favor of Defendants and against Plaintiffs on Count 4 of the Complaint for civil conspiracy and it is adjudged that Chaffe McCall LLP, Robert S. Rooth, Esq., James Hayes, and Walter Morales did not enter into a conspiracy to effectuate any illegal scheme towards Marine Electric Systems, Inc.

5. The Complaint is dismissed with prejudice as to all Defendants.

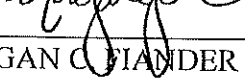
Dated: 7/27/23

**IT IS SO ORDERED**

  
HON. JULIEN X. NEALS, U.S.D.J.

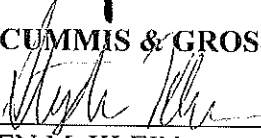
We hereby consent to the form and entry of this Consent Judgment:

**POLSINELLI PC**

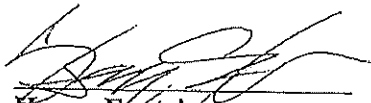
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LLP

  
Harry Epstein

Marine Electric Systems, Inc.

  
By: \_\_\_\_\_  
Harry Epstein, President and CEO